

REMARKS

The following remarks are responsive to the Office Action mailed March 17, 2009 (“Action”). Reconsideration and allowance are respectfully requested based on the below remarks.

Claim Rejections Under 35 U.S.C. § 103

Claims 1, 3, 4, 8, 10, 11, 15, and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Pattabiraman (US 2003/0195010) in view of Dutta (US 2002/0186845). *See* Action at p. 2-5. Claims 5 and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Pattabiraman and Dutta, in further view of Lin (US 2002/0102998 A1). *See* Action at p. 5-6. Claims 6, 7, 13, and 14, stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Pattabiraman and Dutta, further in view of Zad Issa et al. (US 6,751,313 B2), hereafter “Zad”. *See* Action at p. 6-8. Applicants respectfully traverse for at least the following reasons.

1. Comments on Claim 1

The Examiner is respectfully requested to reconsider the rejection in view of the following remarks.

A *prima facie* case for obviousness has not been established. Even if a skilled person would combine the teachings of Pattabiraman and Dutta, he would still not arrive at the claimed invention. The claimed invention relates to an accessory device for a mobile communications device. The Action alleges that it would be obvious to arrive at the claimed invention by combining Pattabiraman with Dutta, with the motivation being to provide a mechanism for features not being used in the mobile device. *See* Action at p. 3-5. However, neither Pattabiraman nor Dutta relate to accessory devices for mobile communications devices. Further, the accessory device according to the claimed invention is adapted to instruct the mobile communications device to not perform a function. Instead, the accessory device performs the function disabled in the mobile communications device. Neither Pattabiraman nor Dutta teaches or renders obvious an accessory device performing a disabled function for the mobile communications device.

In more detail, Pattabiraman relates to techniques for emulating a first wireless

communication device on a wide area network with a second wireless communication device utilizing a local link (abstract). Pattabiraman at [0035] and in Fig. 2, cited in the Action at page 3, disclose internal components of a mobile station. However, the cited passage does not relate to any media processing being performed in the mobile station. In this respect, Pattabiraman merely teaches that “additional components for supporting voice communications or data applications are not shown [in Fig. 2].” Thus, Pattabiraman does not specify any media processing circuitry adapted to provide media processing functionality in the apparatus.

The Action alleges that [0052] of Pattabiraman discloses Applicants’s claimed accessory interface circuitry adapted to transfer a message to the mobile telecommunications terminal via the connector, the message comprising a specification of at least a part of the media processing functionality provided by the media processing circuitry included in the apparatus. *See* Action at p. 3-4. Applicants respectfully disagree. Pattabiraman at [0052] discloses connecting a first device (denoted “device A”) with a second device (denoted “device B”) in order to operatively connect the first device with a base station via the second device. As is clear from Pattabiraman, the first device and the second device are peer devices (i.e., the devices are of equal technical, functional and structural character).

In contrast, the claimed invention relates to a mobile telecommunications terminal and an accessory device (termed “apparatus”) which are not peer devices. The Action interprets Pattabiraman at [0052] to disclose the device A to transfer voice or data to device B so that device B can send the voice or data to the wide area network. Applicants assume that by this the Action alleges transfer of voice or data to have the same technical meaning as transfer of a message comprising a specification of at least a part of a media processing functionality as claimed by Applicant. Applicants respectfully disagree.

Pattabiraman discloses transmission of media whilst the claimed invention relates to transmission of a control function (and not any media associated with the control function). Sending media and sending a control signal specifying a media functionality does not have the same technical meaning. Hence, the passage cited in the Action fails to teach accessory interface circuitry adapted to transfer a message to the mobile telecommunications terminal via a connector, wherein the message comprises a specification of at least a part of the media processing functionality provided by the media processing circuitry included in the apparatus.

Further, the Action alleges Pattabiraman at [0048] and [0023] disclose Applicants's claimed apparatus adapted to receive media data forwarded from the mobile terminal for processing by the media processing circuitry of the apparatus due to the disabling of the second media processing circuitry of the mobile terminal. *See* Action at p. 4. Applicants respectfully disagree.

Firstly, the Action acknowledges that Pattabiraman fails to disclose disabling of a media functionality (or any message related to such disabling). *See* Action at p. 4. Therefore, [0048] and [0023] of Pattabiraman cannot disclose Applicants's claimed apparatus in the first place. In this respect, [0048] of Pattabiraman discloses a data application which may be running on a notebook computer, or device A, and that device A may direct device B, a mobile station, to access the network, emulate device A, and transfer communication data across the local link to device A. Thus, according to Pattabiraman, the application is still run on the mother device (the notebook computer, device A) and not on the device (the mobile station, device B) via which a network connection is established. Further, Pattabiraman at [0023] relates to base stations, coverage areas (particularly in a CDMA context), and different terms used for a user equipment (i.e., different terms used for the mobile phone). Hence, the passages cited by the Action fail to teach an apparatus adapted to receive media data forwarded from the mobile terminal for processing by the media processing circuitry of the apparatus due to the disabling of the second media processing circuitry of the mobile terminal.

The Action alleges Dutta at [0007] and the Abstract thereof disclose an apparatus adapted to transfer a message to the mobile communications terminal comprising a command to the mobile communications terminal to disable the specified processing functionality in a second media processing circuitry, the second media processing circuitry located in the mobile telecommunications terminal. *See* Action at p. 4. Dutta relates to techniques for remotely disabling and enabling access to secure transaction functions of a mobile terminal (abstract). In more detail, Dutta relates to a service enabling a user to immediately block access to the payment and user authentication functions in the security element of a phone or other type of mobile terminal by sending a radio message.

Dutta at [0007] teaches a service provided for remotely controlling a security element of a mobile terminal for disabling access to secured functions, such as e-commerce transactions.

Dutta specifies the e-commerce capability of terminal to be disabled by a user. The user accesses a server thereby creating and sending a message including instructions for disabling the mobile terminal via a service provider. Hence, according to Dutta, the disabling is manually initiated by a user. In contrast, according to the claimed invention, the disabling message is initiated by the accessory device (i.e., by the claimed apparatus).

For all of the reasons set forth above, it is respectfully submitted that claim 1 is patentably distinct over the prior art of record and is in condition for allowance.

2. Comments on Claims 3-8 and 10-16

Independent claims 10 and 15 recite features analogous to those in claim 1, and hence are allowable at least for analogous reasons. The pending claims that respectively depend on claims 1, 10, and 15 are allowable at least due to their dependence on an allowable claim, in addition to the features they recite.

CONCLUSION

For all of the reasons set forth above, it is respectfully submitted that the currently presented claims are patentably distinct over the prior art of record and are in condition for allowance. Thus, it is respectfully requested that the application be passed to issue forthwith. Accordingly, such action is earnestly solicited at the earliest possible date. The Examiner is invited to contact the undersigned should it be deemed necessary to facilitate prosecution of the application.

Respectfully submitted,
BANNER & WITCOFF, LTD.

Date: June 17, 2009

By: /Christopher M. Swickhamer/
Christopher M. Swickhamer
Registration No. 59,853
BANNER & WITCOFF, LTD.
10 South Wacker Drive,
Suite 3000
Chicago, IL 60606
Telephone: 312-463-5000
Facsimile: 312-463-5001